

## REMARKS

Claims 11-20 and 27-33 have been canceled. Claims 1, 21 and 34 have been amended to more clearly define features of the invention.

Support for the amended claims is found in the embodiments described, for example, in connection with ticketing and a club card in Fig. 4 and pages 13-19 of the specification, as well as the data mover feature described on pages 24-29.

Responding to the 35 USC § 112 rejection, claims 1-3 and 11-14 are not intended to be construed under 35 U.S.C. § 112, sixth paragraph. The claims are drafted with electrical structural terms, such as a network and a data processing unit. The use of such terms provides sufficient structure in the claims in order to avoid construction under 35 U.S.C. § 112, sixth paragraph. See, MPEP § 2181.

Regarding the question of scope raised by claims 4, 6, 8, 10 and 18-20, the applicant intends to include the combination of the system with the apparatus as the Examiner has viewed the claims.

Regarding the 35 USC § 102 rejections, the rejection of claims 1-7 and 10 under 35 U.S.C. 102(a) as being clearly anticipated by Acres '483 ("Acres") is respectfully traversed. Currently amended claim 1 reads as follows:

1. (Currently Amended) In a gaming system comprising a plurality of gaming machines requiring cashless data to support cashless operation and requiring non-cashless data to support non-cashless operation and a first database arranged to store cashless and non-cashless input data and cashless and non-cashless output data, apparatus for providing data storage and communications between the gaming machines and the first database comprising:

a network; and

a data processing unit comprising a second database, the data processing unit being arranged to poll the gaming machines to obtain the output data over the network, to store the output data in the second database, to transmit the output data over the network to the first database, to obtain the input data from the first database required by the gaming machines, to store the required input data in the second database, and to transmit at least a portion of the required input data from the second database to the gaming machines over the network.

Acres does not anticipate the subject matter of amended claim 1. The Examiner construes the Acres accounting system 38 as the claimed first database. Acres does not describe the kind of data, if any, stored in the accounting system. Claim 1 is limited to a first database arranged to store cashless and non-cashless input data. Accounting system 38 is mentioned in Col. 4, lines 20-23, but does not identify the type of data stored. Therefore, Acres does not anticipate claim 1 as amended.

Amended claim 1 also is limited to a processing unit arranged to obtain the input data from the first database required by the gaming machines, to store the required input data in the second database, and to transmit at least a portion of the required input data from the second database to the gaming machines over the network. There is no such feature described in Acres. The Examiner construes the bank controller 24 of Acres as the claimed second database. Controller 24 is described in Col. 3, line 64 – Col. 4, line 12, but there is no description of any data being stored by controller 24, much less data required by the gaming machines as claimed. As far as the undersigned can determine, there is no flow of data from bank controller to the gaming

machines. The data flow is only in the direction of accounting system 38 or servers 42, 44 and 46. Therefore Acres does not anticipate amended claim 1.

Claims 2-7 and 10 are dependent on claim 1 and are allowable for the same reasons as claim 1.

The Examiner's statements that various features recited in claims 4-7 and 10 are well known and inherent to Acres game machines are respectfully traversed. Regarding the well-known statements, if the Examiner is asserting Official Notice that the subject of the statements is common knowledge, the applicants respectfully traverse the Examiner's assertions. Alternatively, if the Examiner's assertions are based on the personal knowledge of the Examiner, then under MPEP § 2144.03(C) and 37 C.F.R. § 1.104(d)(2), the Examiner's assertions must be supported by an affidavit from the Examiner. The applicants respectfully submit that the subject matter of the Examiner's statement of Official Notice is not well known in the art as evidenced by the searched and cited prior art. The Examiner's search has failed to yield any mention of the teachings that the Examiner states are well known. The applicants respectfully request that the Examiner provide a reference(s) in support of the assertion of Official Notice if the Examiner intends to maintain a rejection based on Official Notice (MPEP 2144.03).

Regarding the statement of inherency, MPEP 2163.07(a) states:

"To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'"

The applicants respectfully submit that that the Acres patent is not sufficiently detailed to comply with the requirements of MPEP 2163.07(a). It is respectfully requested that the rejection based on inherency be withdrawn.

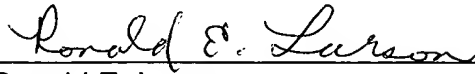
Responding further to the 35 USC § 102 rejections, the rejection of claims 1-32 under 35 U.S.C. 102(a) as being clearly anticipated by Rowe '907 ("Rowe") is respectfully traversed. Regarding amended claim 1, Rowe describes a cashless transaction clearinghouse. As far as the undersigned can determine, all of the functions described by Rowe involve cashless data, not non-cashless data as claimed. The Examiner construes the clerk validation terminals (CVTs) of Rowe as the claimed second database. However, there is no teaching in Rowe of a processing unit arranged to obtain the input data from the first database required by the gaming machines, to store the required input data in the second database, and to transmit at least a portion of the required input data from the second database to the gaming machines over the network as claimed. As far as the undersigned can determine, there is no flow of data from the CVTs to the gaming machines. The data flow is only in the direction of components shown at the left-hand side of Fig. 2. Therefore Rowe does not anticipate amended claim 1.

Independent claims 21 and 34 have been amended in ways analogous to the amendment of claim 1 and are allowable for the same reasons as claim 1. The Examiner has not applied Rowe to any of the claims dependent on claims 1, 21 or 34, and these dependent claims also are allowable for the same reasons as independent claims 1, 21 and 34.

In summary, claims 1-10, 21-26 and 34-39 are allowable, and such action is respectfully solicited.

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Respectfully submitted,



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